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The First Short Ballot County

WHEN the great political turn-over took place in California in 1910, a legislature was elected which had been committed to a number of progressive propositions, among which was the short ballot principle. Soon the question arose in the party caucus: "How are we to apply this principle to counties?"

California has fifty-odd counties, varying in population from less than five hundred to more than five hundred thousand; there is also every conceivable variation of physical, social and industrial condition. The counties had all been governed in substantially the same way by "general" laws. But every one had its peculiar needs, so that, in order to avoid special legislation, the legislature had passed a number of "general" laws which, in the nature of things could only apply to a single county. This had become a nuisance.

Home Rule for Counties

Now the *cities* of California for over thirty years had enjoyed the privilege of managing for themselves all their strictly local affairs under the "home rule" provisions of the constitution and had thrived under the system. The counties, on the contrary, were enthralled by the theory, which is partly a fiction, that they were mere civil divisions of the state and must be rigidly controlled by state authority. But the legislature of 1910 saw the county problem in a new light. They knew that there were a number of subjects which the local electorate and the local authorities could pass upon far more intelligently than legislators coming from a section of the state perhaps seven hundred miles away. So they frankly submitted to the people of the state a proposition for limited constitutional home rule for counties, which made it possible for the counties to decide upon the structure or form of their own government, and to control the county officers as they saw fit. The amendment was adopted in October 1911.

The procedure under which the new charter may be adopted is very similar to that by which home-rule charters may be submitted in the cities. On petition of fifteen per cent. of the electors, or the initiative of the board of supervisors, an election of a board of fifteen Freeholders is held. The freeholders then draft a charter which is submitted to the people for ratification. The charter must then go to the legislature for approval or rejection, as a whole (they cannot amend it in details), which in practice, however, is a merely formal step, as no legislature in thirty-three years has ever rejected a city charter or an amendment to one.

The Short Ballot Principle

The central feature of this amendment is the power which it gives the locality to determine whether the officers of the

county, except the board of supervisors, shall be elective or *appointive*, and, if appointive, to determine the manner of appointment.

The first county to take advantage of the amendment was Los Angeles, which contains the city of the same name and has a population of about a half a million.

The charter which the board of fifteen freeholders presented to the people and adopted by them November 5, 1912, is given here in full. It is absolutely a new conception of county organization.

In the first place, the old notion that everybody must be elected, is abandoned. Under the old legislative county law in California, the people in the large counties elected, every four years, the following officers: One supervisor for each of five districts, county superintendent of schools, coroner, public administrator, county clerk, district attorney, sheriff, auditor, treasurer, tax collector, assessor, recorder, and surveyor. In addition to these, were a galaxy of elective constables and justices of the peace. The new county charter wipes off the ballot most of these officers because their duties are almost entirely ministerial or clerical. The Board of Supervisors, of course, are to remain elective as both the law and common sense require. The ballot will also contain the candidates for the sheriff, district attorney and assessor. By rotating the terms of the elective officers, not over three of them will be chosen in any one year, after the first election. This means that the county ticket in any single year will be reduced from thirteen to two, or at most, three officers.

A Unified System of Administration

In the second place, the charter provides for a unified, responsible system of administration. So long as all the heads of departments were elected, they stood, each upon an independent basis. The state law imposed upon the board of supervisors the duty of supervision, but it gave them no power to enforce their wishes. As a matter of fact, the only way of reaching these elective department heads was by going into court and suing them on their official bonds or convicting them of a crime. In other words, you had to prove the officer an out-and-out crook, or he stayed serenely by his job. There was no remedy for incompetence, inefficiency and bad official conduct, so long as the officer kept just within the law.

The Los Angeles charter changes this system radically. It makes the board of supervisors the center of responsibility by giving them the appointing power (under proper restrictions), and holds them responsible in all ways for the administration of county business. It thus adapts to counties the basic idea of commission government.

Other Improvements

The selection of appointive county officers, from lowest to highest (with certain exceptions), is to be made on the basis of competitive examination, under the direction of an independent Civil Service Board. This, too, is an important advance, for it is

only in a handful of counties throughout the whole country that the merit system applies.

The fee system is abolished. Officers are to receive salaries.

The constabulary is to be under the control of the sheriff. There will not be, as formerly, two sets of peace officers constantly disputing each other's authority.

A county counsel will be appointed to keep the various officers keyed up to the complex procedure provided by law to direct the county officers. They will have no excuse for developing a "common law" of their own by following the precedents of the office rather than the statutes.

The system which this charter sets up is not a perfect one. For example, it does not do away with much unnecessary duplication of effort between city and county. It clings to the tradition that makes the sheriff an elective officer, though nine-tenths of his duties are simply those of executing court orders. It continues the county assessor and district attorney as political officers when they should be selected for expert qualifications. It leaves the justices of the peace on the elective list, in spite of the pettiness of their jurisdiction.

So much of criticism is due from our particular viewpoint. But, on the whole, it looks like the beginning of a new age in American counties.

The Alameda Plan

Los Angeles is the pioneer. But another California community is undertaking a much more pretentious piece of work. The Tax Association of Alameda County has a plan of county federation in which the short ballot and expert administration under an appointive manager are the dominant principles. The adjustment of city and county relations would be effected on the principle that the county should be made more important and incidentally, more interesting to its citizens, by charging it with the whole system of duties which constitute the local exercise of the police power, which is divided at present between the county and the cities. The county would also take over several matters of routine administration, so that the office-work of the cities and the county (a big item of expense), could be centralized and standardized. At the same time, the cities would have every opportunity to develop their individuality in the matter of public works, education, etc.

Conditions in California are not so very "peculiar," after all. New York, Texas, Ohio, Pennsylvania, have quite as great a diversity of conditions to deal with. County governments in most of the states are working under substantially the same form of organization which the old California law provides; so that these local systems have a very general significance. The rest of the country will do well to watch California's experiments.

THE NATIONAL SHORT BALLOT ORGANIZATION.

CONSTITUTIONAL PROVISIONS

[The portion of the constitution (*Art. XI., part of Sec. 7½*) relating to the contents of county home-rule charters, reads as follows:]

"It shall be competent, in all charters, framed under the authority given by this section to provide, in addition to any other provisions allowable by this constitution, and the same shall provide, for the following matters:

1. For boards of supervisors and for the constitution, regulation and government thereof, for the times at which and the terms for which the members of said board shall be elected, for the number of members, not less than three, that shall constitute such boards, for their compensation and for their election, either by the electors of the counties at large or by districts; provided, that in any event said board shall consist of one member for each district, who must be a qualified elector thereof; and

2. For sheriffs, county clerks, treasurers, recorders, license collectors, tax collectors, public administrators, coroners, surveyors, district attorneys, auditors, assessors and superintendents of schools, for the election or appointment of said officers, or any of them, for the times at which and the terms for which, said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and, if appointed, for the manner of their appointment; and

3. For the number of justices of the peace and constables for each township, or for the number of such judges and other officers of such inferior courts as may be provided by the Constitution or general law, for the election or appointment of said officers, for the times at which and for the terms for which said officers shall be elected or appointed, and for the compensation, or for the fixing of such compensation by boards of supervisors, and if appointed, for the manner of their appointment; and

4. For the powers and duties of boards of supervisors and all other officers, for their removal and for the consolidation and segregation of county offices, and for the manner of filling all vacancies occurring therein; provided, that the provisions of such charters relating to the powers and duties of boards of supervisors and all other county officers shall be subject to and controlled by general laws; and

5. For the fixing and regulation by boards of supervisors, by ordinance, of the appointment and number of assistants, deputies, clerks, attaches, and other persons to be employed, from time to time, in the several offices of the county, and for the prescribing and regulating by such boards of the powers, duties, qualifications and compensation of such persons, the times at which and the terms for which they shall be appointed, and the manner of their removal; and

6. For the compensation of such fish and game wardens, probation and other officers as may be provided by general law, or for the fixing of such compensation by boards of supervisors.

All elective officers of counties, and of townships, of road districts and of highway construction divisions therein shall be nominated and elected in the manner provided by general laws for the nomination and election of such officers.

All charters framed under the authority given by this section, in addition to the matters herein above specified, may provide as follows:

For offices other than those required by the Constitution and laws of the State, or for the creation of any or all of such offices by boards of supervisors, for the election or appointment of persons to fill such offices, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For offices hereafter created by this Constitution or by general law, for the election or appointment of persons to fill such offices, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors."

LOS ANGELES COUNTY CHARTER

We, the people of the County of Los Angeles, do ordain and establish for its government this

CHARTER

ARTICLE I.

Name and Rights of the County

Sec. 1: The County of Los Angeles, as it now exists, is a body corporate and politic, and as such has all the powers specified by the constitution and laws of the State of California, and by this Charter, and such other powers as are necessarily implied.

Sec. 2: The powers mentioned in the preceding section can be exercised only by a Board of Supervisors, or by agents and officers acting under their authority or by authority of law or of this Charter.

Sec. 3: The corporate name shall be "County of Los Angeles," which must be thus designated in all actions and proceedings touching its corporate rights, properties and duties. Its boundaries and county seat shall remain the same as they now are, until otherwise changed by law.

ARTICLE II.

Board of Supervisors

Sec. 4: The County of Los Angeles shall have a Board of Supervisors consisting of five members, each of whom must be an elector of the district which he represents, must reside therein during his incumbency, must have been such an elector for at least one year immediately preceding his election, and shall be elected by such district. Their terms of office shall be four years, each shall hold until his successor is elected and qualified, and they shall each receive a salary of \$5000 per year payable monthly from the County Treasury. They shall devote all their time during business hours to the faithful service of the public.

Sec. 5: The County is hereby divided into five supervisors districts, the boundaries of which shall be and remain as they now are until otherwise changed as provided in this Charter.

Sec. 6: At the general election to be held in November, 1914, supervisors shall be elected from the First and Third Supervisor districts, whose terms shall begin at noon on the first Monday after the first day of January, 1915, and end at noon on the first Monday in December, 1918; provided, that each shall hold office until his successor is elected and qualified.

At the general election to be held in November, 1916, supervisors shall be elected from the Second, Fourth and Fifth districts, whose terms shall begin at noon on the first Monday after the first day of January, 1917, and end at noon on the first Monday in December, 1920; provided, that each shall hold office until his successor is elected and qualified.

At each general election after November, 1916, there shall be elected, either two or three supervisors, as the case may be, for terms of four years, beginning at noon on the first Monday in December next after their election, and ending at noon on the first Monday in December, four years thereafter.

Sec. 7: The Board of Supervisors may, by a two-thirds vote of its members, change the boundaries of any supervisor district. No such boundaries shall ever be so changed as to affect the incumbency in office of any supervisor. Any change in the boundaries of any supervisor district must be made within one year after a general election.

Sec. 8: Whenever a vacancy occurs in the Board of Supervisors the Governor shall fill such vacancy, and the appointee shall hold office until the election and qualification of his successor. In such case, a Supervisor shall be elected at the next general election, to fill the vacancy for the unexpired term, unless such term expires on the first Monday in December succeeding said election.

Sec. 9: The Board of Supervisors shall elect a Chairman, who shall preside at all meetings. In case of his absence or inability to act, the members present must, by an order entered of record, select one of their number to act as Chairman pro tem. Any member of the Board may administer oaths, when necessary in the performance of his official duties. A majority of the members shall con-

stitute a quorum, and no act of the Board shall be valid or binding unless a majority of the members concur.

ARTICLE III.

General Powers of the Board of Supervisors

Sec. 10: The Board of Supervisors shall have all the jurisdiction and power which are now or which may hereafter be granted by the constitution and laws of the State of California or by this charter.

Sec. 11: It shall be the duty of the Board of Supervisors:

(1) To appoint all county officers other than elective officers, and all officers, assistants, deputies, clerks, attaches and employees whose appointment is not provided for by this Charter. Except in the cases of appointees to the unclassified service, all appointments by the Board shall be from the eligible civil service list. The Board shall provide, by ordinance, for the compensation of elective officers and of its appointees, unless such compensation is otherwise fixed by this Charter.

(2) To provide, by ordinance, for the number of Justices of the Peace and Constables, to be elected and appointed, respectively, in each Township. The Board may also provide, by ordinance, for the number and fix the compensation, of such other judges and inferior officers of such inferior courts as are now, or may hereafter be, provided by the constitution or by general law.

(3) To provide, by ordinance, for the number of assistants, deputies, clerks, attaches, and other persons to be employed from time to time in the several offices and institutions of the county, and for their compensation and the times at which they shall be appointed.

(4) To provide, by ordinance, for the creation of offices other than those required by the constitution and laws of the State, and for the appointment of persons to fill the same, and to fix their compensation.

(5) To require, if deemed expedient, any county or township officer, or employee, before or after entering upon the duties of his office, or service, to give bond for the faithful performance thereof, in such penal sum as may be fixed by the Board.

(6) To provide, publish and enforce, a complete code of rules, not inconsistent with general laws or this Charter, prescribing in detail the duties, and the systems of office and institutional management, accounts and reports for each of the offices, institutions and departments of the county.

ARTICLE IV.

County Officers Other Than Supervisors

Sec. 12: The elective county officers other than members of the Board of Supervisors shall be: Sheriff, District Attorney and Assessor.

Sec. 13: At the general election to be held in November, 1914, a District Attorney shall be elected, whose term shall begin at noon on the first Monday after the first day of January, 1915, and end at noon on the first Monday in December, 1916. At the same election a Sheriff and Assessor shall be elected, whose terms shall begin at the same time and end at noon on the first Monday in December, 1918. At the general election to be held in November, 1916, and every four years thereafter, a District Attorney shall be elected, whose term shall be four years, beginning at noon on the first Monday in December following his election and ending at noon on the first Monday in December four years thereafter. At the general election to be held in November, 1918, and every four years thereafter, a Sheriff and Assessor shall be elected, whose terms shall be four years, beginning at noon on the first Monday in December following their election, and ending at noon on the first Monday in December four years thereafter. All elective county officers shall hold office until their successors are elected and qualified.

Sec. 14: The appointive county officers shall be:

Auditor

Board of Education, Members of

Board of Law Library Trustees, Members of

Civil Service Commission, Members of

Coroner

County Clerk

County Counsel

Fish and Game Warden

Health Officer
Horticultural Commissioner
License Collector
Live Stock Inspector
Probation Committee, Members of
Probation Officer
Public Administrator
Public Defender
Purchasing Agent
Recorder
Registrar of Voters
Road Commissioner
Superintendent of Charities
Superintendent of Schools
Surveyor
Tax Collector
Treasurer

Such other officers as may hereafter be provided by law shall also be appointive.

The Tax Collector shall be ex-officio License Collector.

Sec. 15: All fees collected by any county officer, Board or Commission shall be paid into the County Treasury on the first Monday of each calendar month, together with a detailed statement of the same in writing, a duplicate copy of which shall be filed with the Auditor at the same time.

Sec. 16: Whenever a vacancy occurs in an elective county office other than a member of the Board of Supervisors, the Board shall fill such vacancy, and the appointee shall hold office until the election and qualification of his successor. In such case, there shall be elected at the next general election an officer to fill such vacancy for the unexpired term, unless such term expires on the first Monday in December succeeding said election.

ARTICLE V.

Township Officers

Sec. 17: The Board of Supervisors must provide, by ordinance, for not less than one Justice of the Peace and one Constable in each township, and may provide for more in townships where population and the business therein require a greater number; provided, that, until the Board shall so provide for such Justices of the Peace and Constables, the number of each thereof in each township shall continue as now or hereafter provided by law; provided, further, that if the legislature shall hereafter, instead of the system of Courts of Justice of the Peace now established by law, substitute some other system of inferior courts, then and in that event, it shall not be compulsory upon the Board of Supervisors to provide any number for, and the Board may discontinue the existence of all Justices of the Peace in the several townships, if such discontinuance, be allowed by law, and the Board may provide for such number of inferior Judges or Justices as may be necessary for the needs of the county, under such substituted system.

Sec. 18: Justices of the Peace shall be nominated and elected at the times and in the manner and for the terms, now or hereafter provided by general law. Constables shall be appointed by the Sheriff from the eligible civil service list.

Sec. 19: The compensation of Justices of the Peace and of Constables shall be fixed by the Board of Supervisors, and must be by salary only, which need not be uniform for the several townships, nor proportionate to population therein. Their duties and qualifications shall be such as are now, or which may hereafter be prescribed by law, or by this charter.

Sec. 20: All fees collected by any Justice of the Peace or Constable shall be paid into the County Treasury, on the first Monday of each calendar month, together with a detailed statement of the same in writing, a duplicate copy of which shall be filed with the Auditor at the same time. The fees to be so paid into the Treasury by each Constable shall include all fees charged and collected by him for service of any writ or process of any court or for any act or service done or rendered by him, or which he has power or which it is his duty to do or render, in his official capacity; and every Constable shall enter in the fee book kept by him all such fees charged and collected by him and pay the same into the County Treasury as above provided, without deduction for any such acts

or services, purporting or claimed to have been done or rendered by him as a private citizen.

ARTICLE VI.

Duties of Officers

Sec. 21: The County Counsel shall represent and advise the Board of Supervisors and all county, township and school district officers, in all matters and questions of law pertaining to their duties, and shall have exclusive charge and control of all civil actions and proceedings in which the county, or any officer thereof, is concerned or is a party. He shall also act as attorney for the Public Administrator in the matter of all estates in which such officer is executor, administrator with the will annexed, or administrator, and the County Counsel shall, in every such matter, collect the attorney's fees allowed therein by law and pay the same into the County Treasury.

Sec. 22: The Superintendent of Charities shall be under the direction of the Board of Supervisors, and shall exercise a general supervision over, and enforce rules and regulations for the conduct and government of, the charitable institutions of the county. He shall perform such other duties as may be prescribed by the Board of Supervisors or by law.

Sec. 23: Upon request by the Defendant or upon order of the Court, the Public Defender shall defend, without expense to them, all persons who are not financially able to employ counsel and who are charged, in the Superior Court, with the commission of any contempt, misdemeanor, felony or other offense. He shall also, upon request, give counsel and advice to such persons, in and about any charge against them upon which he is conducting the defense, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction.

He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed \$100, and in which, in the judgment of the Public Defender, the claims urged are valid and enforceable in the courts.

He shall also, upon request, defend such persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed.

The costs in all actions in which the Public Defender shall appear under this section, whether for plaintiffs or for defendants, shall be paid from the County Treasury, at the times and in the manner required by law, or by rules of court, and under a system of demand, audit and payment, which shall be prescribed by the Board of Supervisors. It shall be the duty of the Public Defender, in all such litigation, to procure, if possible, in addition to general judgments in favor of the persons whom he shall represent therein, judgments for costs and attorney's fees, where permissible, against the opponents of such persons, and collect and pay the same into the County Treasury.

Sec. 24: Subject to rules and regulations which shall be adopted by the Board of Supervisors, by ordinance, the Purchasing Agent shall be the buyer of furniture, fixtures, tools, supplies, materials or other articles of personal property for the county and for county, township and all other officers.

Sec. 25: Each county or township officer, Board of Commission shall have the powers and perform the duties now or hereafter prescribed by general law, and by this Charter, as to such officer, Board or Commission.

ARTICLE VII.

Road Department

Sec. 26: The Board of Supervisors may provide for the formation of road districts for the care, maintenance, repair and supervision of roads, highways and bridges; and for the formation of highway construction divisions for the construction of roads, highways and bridges; for the inclusion in any such district or division of the whole or any part of any incorporated city or town upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town or portion thereof proposed to be so included at an election held for that purpose; for the organization, government, powers and jurisdiction of such district or division, for raising revenue therein for such pur-

poses, by taxation, upon the assent of a majority of the qualified electors of such district or division, voting at an election held for that purpose; for the incurring of indebtedness therefor by the county, district or division for such purposes, respectively, by the issuance and sale, by the county, of bonds of the county, district or division, and the expenditure of the proceeds of the sale of such bonds, and for levying and collecting taxes against the property of the county, district or division, as the case may be, for the payment of the principal and interest of such indebtedness at maturity; provided that any such indebtedness shall not be incurred without the assent of two-thirds of the qualified electors of the county, district or division, as the case may be, voting at an election held for that purpose, nor unless before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; and the procedure for voting, issuing and selling such bonds, except insofar as the same shall be otherwise prescribed in this Charter, shall conform to general laws for the authorizing and incurring of bonded indebtedness by counties so far as applicable; provided, further, that the construction, care, maintenance, repair and supervision of roads, highways and bridges for which aid from the state is granted shall be subject to such regulations and conditions as may be imposed by the legislature.

Sec. 27: The Road Commissioner, subject to such rules and regulations as shall be prescribed by the Board of Supervisors, shall have direction and control over all work of construction, maintenance and repair of roads, highways and bridges, other than work done under contract, and it shall be his duty to examine and inspect contract work as the same progresses and to see that the same is properly performed, and when completed to file his written approval thereof with the Board of Supervisors. He shall also have the control and management of all county rock quarries and gravel pits, and of all other materials, property and instrumentalities necessary for and connected with the construction, maintenance and repair of roads, highways and bridges.

ARTICLE VIII.

Constabulary Department

Sec. 28: There is hereby created a Constabulary Department, consisting of the Sheriff and of all Constables, who are hereby made ex-officio Deputy Sheriffs.

Sec. 29: The Sheriff shall be the head of said Department, and shall so organize the same as to give the county efficient and effective police protection. Each Constable shall be subject to the orders of the Sheriff and must serve process within his township, or elsewhere, when requested, and he shall also perform all the duties required of him by law.

ARTICLE IX.

Civil Service

Sec. 30: On or before the first day of July, 1913, the Board of Supervisors shall appoint three persons as members of the Civil Service Commission, who shall so classify themselves as that one shall serve until the first Monday in December, 1915, at noon, one until the first Monday in December, 1917, at noon, and one until the first Monday in December, 1919, at noon. Before the first Monday in December of each alternate year after 1913, the Board of Supervisors shall appoint one person as the successor of the member of the commission whose term shall then expire, to serve for six years. Any vacancy on the Commission shall be filled by the Board of Supervisors for the unexpired term. Each member of the Commission shall serve until his successor is appointed and qualified. Not more than one member shall be an adherent of the same political party. No member shall hold any other salaried county office, nor shall he have been, within the year next preceding his appointment, an active executive officer in any political organization. Each member shall have been a resident of the county for the five years next preceding his appointment, and his name shall be upon the state and county assessment rolls at the time thereof. The Board of Supervisors by a four-fifths vote of all the members may remove a member of the Commission during his term of office, but only upon stating in writing

the reasons for such removal and allowing him an opportunity to be publicly heard in his own defense. The Commission shall elect one of its members president.

Sec. 31: Each member of the Commission shall receive a compensation of Ten Dollars for each meeting thereof attended by him, not to exceed five meetings in any calendar month. The Commission shall appoint and fix the compensation of a Chief Examiner, who shall also act as Secretary. This position shall be in the competitive class. The Commission may appoint and fix the compensation of such other subordinates as may be necessary.

Sec. 32: For the support of the work of the Commission, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the county, at the rate of not less than one-half of one cent on each One Hundred Dollars of assessed valuation thereof. Any part of the tax so levied for any fiscal year not expended during such fiscal year, or required to defray expenses incurred during such year, shall on the first day of January next succeeding the end thereof, be placed in the general fund of the county.

Sec. 33: The Civil Service of the county is hereby divided into the unclassified and the classified service.

The unclassified service shall comprise:

- (a) All officers elected by the people.
- (b) In the office of the District Attorney: The Chief and one other deputy, one secretary, and three detectives; and special counsel and special detectives for temporary employment.
- (c) In the office of the Sheriff: The Under Sheriff, or Chief Deputy. In the office of the Assessor: The Chief Deputy.
- (d) Superintendents, principals and teachers in the school system.
- (e) Members of the County Board of Education.
- (f) Members of the Civil Service Commission.
- (g) All officers and other persons serving the county without compensation.

The classified service shall include all other positions now existing or hereafter created.

Sec. 34: The Commission shall prescribe, amend and enforce rules for the classified service, which shall have the force and effect of law; shall keep minutes of its proceedings and records of its examinations and shall, as a Board or through a single Commissioner, make investigations concerning the enforcement and effect of this Article and of the rules and efficiency of the service. It shall make an annual report to the Board of Supervisors.

The rules shall provide:

- (1) For the classification of all positions in the classified service.
- (2) For open, competitive examinations to test the relative fitness of applicants for such positions.
- (3) For public advertisement of all examinations.
- (4) For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination. Such lists shall remain in force not longer than two years.
- (5) For the rejection of candidates or eligibles who fail to comply with the reasonable requirements of the Commission in regard to age, residence, sex, physical condition or who have been guilty of crime or of infamous or disgraceful conduct or who have attempted any deception or fraud in connection with an examination.
- (6) For the appointment of one of the three persons standing highest on the appropriate list.
- (7) For a period of probation not to exceed six months before appointment or promotion is made complete, during which period a probationer may be discharged or reduced with the consent of the commission.
- (8) For non-competitive examinations for minor positions in the county institutions when competition is found to be impracticable.
- (9) For temporary employment of persons on the eligible list until list of the class covering the temporary employment is exhausted; and in cases of emergency, for temporary employment without examination, with the consent of

the Commission. after the eligible list has been exhausted. But no such temporary employment shall continue longer than sixty days, nor shall successive temporary appointments be allowed. Nor shall the acceptance or refusal to accept such temporary appointment on the part of a person on the eligible list be a bar to appointment to a permanent position from said eligible list.

(10) For transfer from one position to a similar position in the same class and grade and for reinstatement within one year of persons who without fault or delinquency on their part are separated from the service or reduced.

(11) For promotion based on competitive examination and records of efficiency, character, conduct and seniority. Lists shall be created and promotion made therefrom in the same manner as prescribed for original appointment. An advancement in rank or an increase in salary beyond the limit fixed for the grade by the rules shall constitute promotion. Whenever practicable vacancies shall be filled by promotion.

(12) For suspensions for not longer than thirty days and for leaves of absence.

(13) For discharge or reduction in rank or compensation after appointment of promotion is complete, only after the person to be discharged or reduced has been presented with the reasons for such discharge or reduction, specifically stated, and has been allowed a reasonable time to reply thereto in writing. The reasons and the reply must be filed as a record with the Commission.

(14) For the appointment of unskilled laborers and such skilled laborers as the Commission may determine in the order of priority of application after such tests of fitness as the Commission may prescribe.

(15) For the establishment of a bureau of efficiency, consisting of the Commission, the Secretary thereof and the Auditor, for the purpose of determining the duties of each position in the classified service, fixing standards of efficiency, investigating the methods of operation of the various departments, and recommending to the Board of Supervisors and department heads measures for increasing individual, group and departmental efficiency, and providing for uniformity of competition and simplicity of operation. The Commission shall ascertain and record the comparative efficiency of employes in the classified service and shall have power, after hearing, to dismiss from the service those who fall below the standard of efficiency established.

(16) For the adoption and amendment of rules only after public notice and hearing.

The Commission shall adopt such other rules, not inconsistent with the foregoing provisions of this section, as may be necessary and proper for the enforcement of this article.

Sec. 35: In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, upon satisfactory evidence that competition is impracticable and that the position can best be filled by the selection of some designated person of recognized attainments, the Commission may, after public hearing and by the affirmative vote of all three members of the Commission, suspend competition, but no such suspension shall be general in its application to such positions, and all such cases of suspension shall be reported, together with the reason therefor, in the annual reports of the Commission.

Sec. 36: All examinations shall be impartial and shall deal with the duties and requirements of the position to be filled. When oral tests are used, a record of the examination, showing basis of rating, shall be made. Examinations shall be in charge of the chief examiner except when members of the commission act as examiners. The commission may call on other persons to draw up, conduct or mark examinations, and when such persons are connected with the county service it shall be deemed a part of their official duties to act as examiners without extra compensation.

Sec. 37: All persons in the county or township service holding positions in the classified service as established by this Article, at the time it takes effect, whether holding by election or by appointment, and who shall have been in such service for the six months next preceding shall hold their positions until discharged, reduced, promoted or transferred in accordance with the provisions of this Article. The Commission shall maintain a civil list of all persons in the county service, showing in connection with each name the position held, the date and character of every appointment and of every subsequent change in status.

Each appointing officer shall promptly transmit to the Commission all information required for the establishment and maintenance of said civil list.

Sec. 38: The Auditor shall not approve any salary or compensation for services to any person holding or performing the duties of a position in the classified service, unless the payroll or account for such salary or compensation shall bear the certificate of the commission that the persons named therein have been appointed or employed and are performing service in accordance with the provisions of this Article and of the rules established thereunder.

Sec. 39: Charges against any person in the classified service may be made to the Commission by any elector of the county, such charges to be in writing.

Sec. 40: In any investigation conducted by the Commission it shall have the power to subpoena and require the attendance of witnesses and the production thereby of books and papers pertinent to the investigation and each Commissioner shall have the power to administer oaths to such witnesses.

Sec. 41: No person in the classified service, or seeking admission thereto, shall be appointed, reduced or removed or in any way favored or discriminated against because of his political or religious opinions or affiliations.

Sec. 42: No officer or employe of the county, in the classified service, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution for any political party or political purpose whatever. No person shall, orally or by letter, solicit, or be in any manner concerned in soliciting, any assessment, subscription or contribution for any political party or purpose whatever from any person holding a position in the classified service.

Sec. 43: No person holding a position in the classified service shall take any part in political management or affairs or in political campaigns further than to cast his vote and to express privately his opinions.

Sec. 44: Any person wilfully violating any of the provisions of this Article or of the rules established thereunder, shall be guilty of a misdemeanor.

ARTICLE X.

Labor

Sec. 45: In the employment of persons in the service of the county, where sex does not actually disqualify and where the quality and quantity of service is equal, there shall be no discrimination in selection or compensation, on account of sex.

Sec. 46: Eight hours shall constitute a day's work for mechanics and others engaged in manual labor in the service of the county.

Sec. 47: In fixing compensation to be paid to persons under the classified civil service, the Board of Supervisors shall, in each instance, provide a salary or wage at least equal to the prevailing salary or wage for the same quality of service rendered to private persons, firms or corporations under similar employment in case such prevailing salary or wage can be ascertained.

Sec. 48: Every person who shall have been in the service of the county, continuously, for one year, shall be allowed a vacation of two weeks on full pay, annually.

Sec. 49: The Board of Supervisors shall prohibit enforced labor without compensation as a penalty for the commission of public offenses. The net earnings of all county prisoners, based upon reasonable compensation for services performed, shall go to the support of their dependents, and if such prisoners have no dependents, such net earnings shall accumulate and be paid to them upon their discharge.

ARTICLE XI.

Recall

Sec. 50: The holder of any elective or appointive county or township office may be recalled by the electors at any time after he has held his office six months. The provisions of this Article shall apply to officials now in office, and to those hereafter elected or appointed. Such recall shall be affected as follows: A petition demanding the election or appointment of a successor to the person

sought to be recalled shall be filed with the Registrar of Voters, which petition shall be signed by qualified voters equal in number to at least fifteen per cent. of the entire vote cast within the county for all candidates for the office of Governor of the state at the last preceding election at which a Governor was elected (or at least twenty-five per cent. of such vote cast within the district or township for which the officer sought to be recalled was elected or appointed, in case of an official not elected by or appointed for the county) and shall contain a statement of the grounds on which the recall is sought. No insufficiency of form or substance in such statement shall affect the validity of the election and proceedings held thereunder. The signatures to the petition need not all be appended to one paper. Each signer shall add to his signature his place of occupation and residence, giving street and number or if no street or number exist, then such a designation of his residence as will enable the location to be readily ascertained. To each separate paper of such petition shall be attached an affidavit made by a qualified elector of the county, stating that the affiant circulated that particular paper and saw written the signatures appended thereto, and that, according to the information and belief of the affiant, each of said signatures is genuine, and the signature of a qualified elector of the county (or particular sub-division thereof in which such signers are hereby required to reside). Within ten days from the filing of such petition, the Registrar of Voters shall, from the records of registration, determine whether or not said petition is signed by the requisite number of qualified voters, and he shall attach to said petition his certificate showing such determination. If such certificate shows the petition to be insufficient, it may be supplemented within ten days from the date of the certificate by the filing of additional papers, duplicates of the original petition except as to the names signed. The Registrar of Voters shall, within ten days after such additional papers are filed, ascertain from the records of registration, and certify whether or not the names to such petition, including such additional papers, are still insufficient, and if insufficient, no action shall be taken thereon; but the petition shall remain on file as a public record. The failure to secure sufficient names shall not prejudice the filing later of an entirely new petition to the same effect. If required by the Registrar of Voters, the Board of Supervisors shall authorize him to employ, and shall provide for the compensation of, persons necessary in the examination of said petition and supplementing petition, in addition to the persons regularly employed by him in his office. In case the Registrar of Voters is the officer sought to be recalled, the duties in this Article provided to be performed by him shall be performed by the County Clerk. If the petition shall be found to be sufficient, the Registrar of Voters shall submit the same to the Board of Supervisors without delay, whereupon the Board shall forthwith cause a special election to be held not less than thirty-five nor more than forty days after the date of the order calling such an election, to determine whether the voters shall recall such officer. If a vacancy occur in said office after a recall petition is filed, and the office is elective, the election shall nevertheless proceed as in this section provided. One petition is sufficient to propose the recall of one or more officials and the election of successors to such thereof as are elective. Nominations for any elective office under such recall election shall be made by petition in the manner prescribed by section 1188 of the Political Code. Upon the sample ballot there shall be printed, in not more than two hundred words, the grounds set forth in the recall petition for demanding the recall of the officer, and upon the same ballot in not more than two hundred words, the officer may justify himself. There shall be printed on the recall ballot, as to every officer whose recall is to be voted on, the following question: "Shall (name of person against whom the recall petition is filed) be recalled from the office of (title of office)?" following which question shall be the words "Yes" and "No" on separate lines, with a blank space at the right of each, in which the voter shall, by stamping a cross (x) indicate his vote for or against such recall. On such ballots, under each such question there shall also be printed, if the officer sought to be recalled be an elective officer, the names of those persons who shall have been nominated as candidates to succeed him, in case he shall be recalled at such election; but no vote shall be counted for any candidate for said office unless the voter also voted on the question of the recall of the person sought to be recalled therefrom. The name of the person sought to be recalled shall not appear on the ballot as a candidate for the office. If a majority of those voting on said question of the recall of any incumbent shall vote "No" said incumbent shall continue in said office. If a majority shall vote "Yes," said incumbent shall thereupon be deemed removed from such office, upon the qualification of his successor. The canvassers shall canvass the votes for candidates for said office and declare the result in like manner as in a regular

election. If the vote at any such recall election shall recall the officer, then the candidate who has received the highest number of votes for the office shall be thereby declared elected for the remainder of the term. In case the person who received the highest number of votes shall fail to qualify within ten days after receiving the certificate of election, the office shall be deemed vacant and shall be filled according to law. If the incumbent of an appointive office be recalled at such election, his successor shall be appointed immediately after the canvassing of the vote.

Before any petition can be filed under this section for the recall of any person in the classified service of the county, there shall be presented to, and be passed upon by, the Civil Service Commission, a complaint in writing giving the grounds for and asking the removal of such person. Such complaint must be considered and be finally acted upon by the Commission within twenty days after such filing.

Until such time as the Board of Supervisors shall appoint a Registrar of Voters under the provisions of this Charter, the powers and duties by this section conferred upon the Registrar of Voters shall be exercised and performed by the County Clerk. In case, at any time prior to the appointment of such Registrar of Voters, the County Clerk shall be sought to be recalled, such powers and duties, in and about the matter of such proposed recall, shall be exercised and performed by some other officer or person to be designated by the Board of Supervisors.

ARTICLE XII.

Miscellaneous

Sec. 51: Each county or township officer, Board or Commission shall appoint, from the eligible civil service list, for either permanent or temporary service, all assistants, librarians, deputies, clerks, attaches and other persons in the office or department of such officer, Board or Commission, as the number thereof is fixed and from time to time changed by the Board of Supervisors; provided, that appointments to the unclassified service in their respective offices and departments shall be made by such officers, Boards and Commissions, without reference to such eligible list.

Sec. 52: The compensation of any elective county or township officer shall not be increased nor diminished during the term for which he was elected, nor within ninety days preceding his election.

No compensation for any position, nor of any person under civil service, shall be increased or diminished without the consent of the Civil Service Commission specifically given thereto in writing.

Sec. 53: Whenever any person in the service of the county is compelled to travel in the performance of his duty, he shall, in addition to his regular compensation, be reimbursed for his actual necessary expenditures for transportation, the hire of conveyances, and for lodging and meals. An itemized account of such expenditures shall be filed with the Clerk of the Board of Supervisors and be approved by the Auditor before being paid. The Board of Supervisors shall fix a maximum price to be paid for such lodging and meals, which shall be uniform and be made applicable to all persons alike, including members of the Board of Supervisors.

Sec. 54: No attorney, agent, stockholder or employe of any firm, association or corporation doing business under or by virtue of any franchise granted by, or contract made with the county, shall, nor shall any person doing such business nor shall any person financially interested in any such franchise or contract, be eligible to or hold any appointive county office.

Sec. 55: The District Attorney, Public Defender, County Counsel, and their deputies, shall not engage in any private law practice, and they shall devote all their time and attention during business hours to the duties of their respective offices.

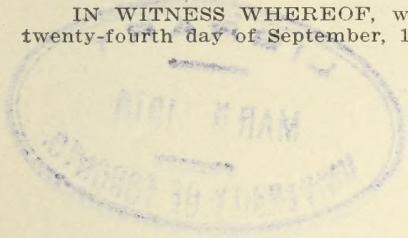
Sec. 56: Nothing in this Charter is intended to affect, or shall be construed as affecting, the tenure of office of any of the elective officers of the county or of any district, township or division thereof, in office at the time this Charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected unless sooner removed in the manner provided by law; nor shall anything in this Charter be construed as changing or affecting the compensation of any such officer during the term for which he shall have been elected. But the successors of each and

all of such officers shall be elected or appointed as in this Charter provided, and not otherwise.

Sec. 57: This Charter shall take effect at noon on the first Monday in June, 1913.

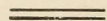
We, the undersigned members of the Board of Fifteen Freeholders of the County of Los Angeles, in the State of California, elected at a special election held in the said County on the 14th day of May, 1912, to prepare and provide a Charter for the said County, under and in accordance with Section 7 1-2 of Article XI of the Constitution of this state, have prepared, and we do hereby propose, the foregoing as and for a Charter for said County.

IN WITNESS WHEREOF, we hereunto sign our names in duplicate this twenty-fourth day of September, 1912.



LEWIS R. WORKS, Chairman.
FREDERICK BAKER,
WILLIS H. BOOTH,
T. H. DUDLEY,
WILLIAM A. ENGLE,
DAVID EVANS
H. C. HUBBARD,
J. M. HUNTER,
GEORGE F. KERNAGHAN,
FRANK R. SEAVER,
J. H. STRINE,
CHARLES WELLBORN.

THE NATIONAL SHORT BALLOT ORGANIZATION



President

WOODROW WILSON
Princeton, N. J.



Vice-Presidents

WINSTON CHURCHILL, Cornish, N. H.

HORACE E. DEMING, New York, N. Y.

BEN B. LINDSEY, Denver, Col.

JOHN MITCHELL, Mt. Vernon, N. Y.

WILLIAM S. U'REN, Oregon City, Ore.

WILLIAM ALLEN WHITE, Emporia, Kan.

CLINTON ROGERS WOODRUFF, Philadelphia, Pa.

Advisory Board

LAWRENCE F. ABBOTT

HENRY JONES FORD

RICHARD S. CHILDS

NORMAN HAPGOOD

WOODROW WILSON

Secretary and Treasurer

RICHARD S. CHILDS

383 Fourth Avenue, New York